

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	09-00307-01-CR-W-FJG
REGINALD EUGENE JONES,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on April 14, 2010. Defendant Jones appeared in person and with appointed counsel Travis Poindexter. The United States of America appeared by Assistant United States Attorney Bruce Rhoades.

I. BACKGROUND

On September 25, 2009, an indictment was returned charging Defendant with one count of being a felon in possession of a firearm and ammunition, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Rhoades announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is Mark Corbin, FBI Task Force.

Mr. Poindexter announced that he will be the trial counsel for Defendant Jones. Eimee Eddington, investigator, will be at counsel table.

III. OUTSTANDING MOTIONS

There are currently no motions pending.

IV. TRIAL WITNESSES

Mr. Rhoades announced that the government intends to call 15 witnesses without stipulations or 8-10 witnesses with stipulations during the trial.

Mr. Poindexter announced that Defendant Jones intends to call 5 witnesses during the trial. Defendant may testify.

V. TRIAL EXHIBITS

Mr. Rhoades announced that the government will offer approximately 50-100 exhibits in evidence during the trial.

Mr. Poindexter announced that Defendant Jones will offer approximately 10 exhibits in evidence during the trial.

VI. DEFENSES

Mr. Poindexter announced that Defendant Jones will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Mr. Poindexter stated this case is definitely for trial.

VIII. STIPULATIONS

Stipulations are likely as to the prior felony conviction and interstate nexus of firearm.

IX. TRIAL TIME

Counsel were in agreement that this case will take 3-4 days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed October 19, 2009, counsel for each party file and serve a list of exhibits he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by April 14, 2010;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, April 21, 2010;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions¹ by or before noon, Wednesday, April 21, 2010. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

XI. UNUSUAL QUESTIONS OF LAW

Motions in limine on gang membership and prior convictions will probably be filed.

XII. TRIAL SETTING

All counsel and Defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on April 26, 2010. The parties are requesting the second week of the trial docket.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
April 14, 2010

¹Counsel in all cases assigned to be tried before Chief Judge Fernando Gaitan, Jr., as reflected in the trial letter which is prepared by Judge James England, shall meet and prepare a packet of agreed proposed jury instructions to be submitted to Judge Gaitan and e-mailed to marylynn_shawver@mow.uscourts.gov and rhonda_enss@mow.uscourts.gov by April 23, 2010. To the extent there are disagreements to certain instructions, each attorney shall tab and submit his or her preference on those instructions. The instructions shall be listed in the order they are to be given.

cc: Mr. Kevin Lyon